

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CHANTHA SVAY,

Plaintiff,

v.

CERTAINTTEED LLC,

Defendant.

Case No. 1:23-cv-00775-KES-EPG

ORDER APPROVING, IN PART, JOINT
STIPULATION TO STAY CASE

(ECF No. 27)

This is a putative class action case that is before the Court on the parties' stipulation to stay the proceedings. (ECF No. 27). As grounds, the parties state that they have "participated in a global mediation . . . that subsequently resulted in a settlement in principal encompassing all of Plaintiff's individual, class, and representative claims against Defendant," and "the Parties are in the process of drafting and negotiating the long-form settlement agreement and other settlement-related documents." Further, the parties note that there is a related state court case, and "subject to the Parties' agreement, the Parties intend to seek approval of the Parties' Settlement Agreement in Madera County Superior Court where the State Action is pending, and, in so doing, intend to add the pending class claims and the representative claims in the State Action in a newly filed action in Madera County Superior Court." Lastly, the parties state that, "within the next 120 days, Plaintiff intends to file for preliminary approval of the settlement in Madera County Superior Court, and thereafter, anticipates filing a request for dismissal in this action after final approval of the settlement is granted."

1 Accordingly, the parties ask “that the Court stay this case until either (1) Plaintiff files a
2 request for dismissal after the settlement has been approved or (2) either Party requests this Court
3 to lift the stay,” with all pending dates and deadlines being vacated in the meantime.

4 Upon review, the Court will approve, in part, the parties’ stipulation to stay the case.
5 Specifically, given the parties’ representation that they are finalizing their settlement agreement
6 with plans to pursue approval in a related state court action, the Court will vacate all pending
7 dates and deadlines. However, the Court does not believe it is appropriate to grant an open-ended
8 stay until the settlement has been approved or the parties request that the Court lift the stay.

9 Accordingly, IT IS ORDERED as follows:

- 10 1. The parties’ stipulation (ECF No. 27) is approved, in part.
- 11 2. All pending dates and deadlines are vacated.
- 12 3. This case is stayed until November 1, 2024.
 - 13 a. By this date, the parties shall file an appropriate dispositional document.
 - 14 b. Alternatively, if the parties are unable to file a dispositional document by this date,
15 they shall file a joint status report, advising the Court of the status of the case and
16 providing grounds in support of any request for continuing the stay.

17 IT IS SO ORDERED.

18 Dated: May 6, 2024

19 /s/ Eric P. Shoup
20 UNITED STATES MAGISTRATE JUDGE
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